

DEF & REF  
RM 307

PATENT  
Attorney Docket No. 161169

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Flack et al.

Serial No. 08/379,872

Filed: January 27, 1995

For: GOSSYPOL FOR THE TREATMENT  
OF CANCER



Group Art Unit: 1614

Examiner: Goldberg

#25  
P42 JRL  
11/12/99  
1614

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attn: Refund Section, Accounting Division  
Office of Finance

**REQUEST FOR REFUND**

Sir:

Applicants request a refund for the fee for filing a Notice of Appeal and the accompanying fee for a three-month extension of time in the above-referenced application. A final Office Action issued February 27, 1998. Applicants filed an Amendment After Final Rejection on May 27, 1998. An Interview Summary dated June 30, 1998, shows that the examiner indicated that "[a]ll claims are being allowed". However, Applicants did not receive a Notice of Allowance by August 27, 1998, which was the six-month date in view of the final Office Action. Therefore, Applicants filed the Notice of Appeal with a three-month extension of time with the understanding that, if they did not do so, the application would be abandoned. The examiner informed Applicants that they were mistaken in their belief, and that filing of the Notice of Appeal and extension of time was unnecessary, because even though a Notice of Allowance had not been received, the case was nonetheless allowed. A Notice of Allowance, dated February 23, 1999, has since been received. Therefore, Applicants request a refund.

RECEIVED  
TECH CENTER 1500/2900  
99 MAY -5 PM 1:57  
GROUP 1601

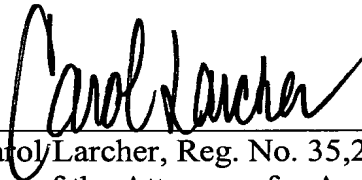
In re. Appln. of Flack et al.  
Serial No. 08/379,872

**Fees Paid**

		AMOUNT OF REFUND REQUESTED
<input type="checkbox"/>	Filing Fee	\$
<input type="checkbox"/>	Surcharge for filing the basic filing fee on a date later than the filing date of the application	\$
<input type="checkbox"/>	Surcharge for filing the oath or declaration later than the filing date of the application	\$
<input checked="" type="checkbox"/>	Notice of Appeal with three months extension of time	\$1260.00
	<b>TOTAL REFUND REQUESTED</b>	\$1260.00

Please make the refund by ☒ crediting Deposit Account No. 12-1216 or ☐ forwarding a check in the amount of the refund to the address below.

Respectfully submitted,



Carol Larcher, Reg. No. 35,243  
One of the Attorneys for Applicant(s)  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza, Suite 4900  
180 North Stetson  
Chicago, Illinois 60601-6780  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

Date: April 21, 1999

In re- Appln. of Flack et al.  
Serial No. 08/379,872

CERTIFICATE OF MAILING

I hereby certify that this REQUEST FOR REFUND (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: 4/21/99 Amy Palasci

REFUND (Rev. 9/4/1998)